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5 UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA, et al.,

8 Plaintiffs,

9 v.

10 STATE OF WASHINGTON, et al.,

11 Defendants.

CASE NO. C70-9213RSM

SUB-PROCEEDING NO. 17-03

ORDER

12
13 This matter is before the Court following the parties' submission of proposed scheduling
14 orders. Dkts. #121 and #122. A scheduling conference was previously set for September 26,
15 2019. Considering the parties' submissions, the Court does not find that a scheduling conference
16 is warranted to address the minor disagreements between counsel. The Court will strike the
17 scheduling conference and set a case schedule below.

18 Stillaguamish also filed a motion requesting that the Court not consider certain material
19 contained in the proposed schedule of the opposing tribes. Dkt. #123. As the Court does not
20 need to consider the disputed information to resolve the issues before the Court, that motion is
21 moot.

22 Accordingly, and having reviewed the record, the Court finds and ORDERS:

- 23 1. The Court STRIKES the September 26, 2019 scheduling conference.
24 2. The Stillaguamish Tribe of Indians' Motion for Miscellaneous Relief re: Responding

Tribes' Response to Court's August 14 Direction: [Proposed] Order Setting Pre-Trial Schedule, Trial Date, and Related Dates (Dkt. #123) is DENIED as moot.

3. The Court SETS the following case schedule:

TRIAL DATE:	March 29, 2021
Length of Trial:	10 days
Stillaguamish to identify expert:	September 30, 2019
Deadline to join additional parties or for parties to file a Notice of Participation in this subproceeding:	October 3, 2019
Deadline to file motion to amend pleadings:	October 17, 2019
Stillaguamish to disclose expert testimony and reports under FRCP 26(a)(2):	February 3, 2020
Deadline to disclose rebuttal expert testimony and reports under FRCP 26(a)(2):	June 1, 2020
Deadline for completion of all discovery:	August 31, 2020
Deadline for filing motions related to discovery:	September 24, 2020
Deadline for filing dispositive motions and motions challenging expert witness testimony:	October 29, 2020
Stillaguamish to serve pre-trial statement:	January 11, 2021
Responding parties serve pre-trial statement:	February 8, 2021
Deadline for filing motions in limine:	February 18, 2021
Agreed pretrial order due:	March 17, 2021
Pretrial conference	To be set
Trial briefs and trial exhibits due:	March 24, 2021

All other dates are specified in the Local Civil Rules. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be

1 performed on the next business day. These are firm dates that can be changed only by order of
2 the Court, not by agreement of counsel or the parties. The Court will alter these dates only upon
3 good cause shown. Failure to complete discovery within the time allowed is not recognized as
4 good cause.

5 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must
6 notify the Deputy Clerk, Lowell Williams or Laurie Cuaresma by telephone at (206) 370-8521
7 within 10 days of the date of this Order and must set forth the exact nature of the conflict. A
8 failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date
9 scheduled, but it should be understood that trial may have to await completion of other cases.

10 **ALTERATIONS TO ELECTRONIC FILING PROCEDURES**

11 As of June 1, 2004, counsel are required to electronically file all documents with
12 the court. Pro se litigants may file either electronically or in paper form. Information and
13 procedures for electronic filing can be found on the Western District of Washington's
14 website at <https://www.wawd.uscourts.gov>.

15 The following alterations to the Electronic Filing Procedures apply in all cases
16 pending before Judge Martinez:

- 17 • Section III, Paragraph F: When the aggregate submittal to the Court (*i.e.*, the
18 motion, any declarations and exhibits, the proposed order, and the certification of
19 service) exceeds **50 pages** in length, a paper copy of the documents (3-hole punch,
20 with dividers, banded or clipped as needed. No binders.) must be delivered to the
21 Clerk's Office by 10:30 a.m. the day after the filing. The chambers copy must be
22 clearly marked with the words "Courtesy Copy of Electronic Filing for
23 Chambers."
24

1 **EXHIBITS**

2 The original and one copy of the trial exhibits are to be delivered to chambers
3 seven days before the trial date. Each exhibit shall be clearly marked. Exhibit tags are
4 available in the Clerk's Office. The Court hereby alters the LCR 16.1 procedure for
5 numbering exhibits:

6 Plaintiff's exhibits shall be numbered consecutively beginning with the
7 number "1" (one). Defendant's exhibits shall be numbered consecutively
8 beginning with "A-1" (one). Duplicate documents shall not be listed twice.
9 Once a party has identified an exhibit in the Pretrial Order, any party may
10 use it. Each set of exhibits shall be submitted in a three-ring binder with
11 appropriately numbered tabs.
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13 **SETTLEMENT**

14 Should this case settle, counsel shall immediately notify Lowell Williams or
15 Laurie Cuaresma, at (206) 370-8521. Pursuant to LCR 3(b), an attorney who fails to give
16 the courtroom deputy prompt notice of settlement may be subject to such sanctions or
17 discipline as the Court deems appropriate.
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19 Dated this 24 day of September 2019.

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21 RICARDO S. MARTINEZ
22 CHIEF UNITED STATES DISTRICT JUDGE
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